UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,378	01/30/2002	Michael D. Derocher	10013678 -1	4525

7590	12/14/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER
ELAMIN, ABDELMONIEM I

ART UNIT	PAPER NUMBER
2116	

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM ·
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 January 2002*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
      closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15,17-19 and 21-27* is/are rejected.

7)☒ Claim(s) *16 and 20* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
           application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *4/5/2004*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims *1-15, 17-19, 21-27* are rejected under 35 U.S.C. 102(e) as being

anticipated by Henkhaus et al, US. Pat. No. 6,654,895.

3.   Claims *1, 7, 25*, Henkhaus teaches a computing device having programmable state

transitions [*abstract, col. 2, lines 20-36*], comprising;

a real-time clock that generates a signal in response to said real-time clock

attaining a programmed time of day [*col. 5, lines 9-15*]; and

a processor [*112 of Fig. 1*], coupled to said real-time clock that receives said

signal and transitions from a hibernate to a standby state [*Henkhaus system automatically*

transitions the computing system from a lower power state to a higher power state, see

abstract, col. 2, lines 20-36].

4.   Claim *2*, Henkhaus teaches said real-time clock generates a second signal in

response to attaining a second programmed time of day, and wherein said processor

receives said second signal and transitions from said standby to an active state [*Henkhaus*

system is configured, when a pattern is detected, to automatically transition the

computing system from a current power state to a new power state, abstract, col. 2, lines

20-36, col. 6, lines 1-3].

5.   Claim *3*, Henkhaus teaches said real-time clock generates a third signal in response to attaining a third programmed time of day, and wherein said processor receives said third signal and transitions from said active to said hibernate state [*Henkhaus system is configured, when a pattern is detected, to automatically transition the computing system from a current power state to a new power state, abstract, col. 2, lines 20-36, col. 6, lines 1-3].*

6.   Claim *4*, Henkhaus teaches said real-time clock generates a third signal in response to attaining a third programmed time of day, and wherein said processor receives said third signal and transitions from said active to said standby state [*Henkhaus system is configured, when a pattern is detected, to automatically transition the computing system from a current power state to a new power state, abstract, col. 2, lines 20-36, col. 6, lines 1-3].*

7.   Claim *5*, Henkhaus teaches said real-time clock generates a fourth signal in response to attaining a fourth programmed time of day, and wherein said processor receives said fourth signal and transitions from said standby to said hibernate state [*Henkhaus system is configured, when a pattern is detected, to automatically transition the computing system from a current power state to a new power state, abstract, col. 2, lines 20-36, col. 6, lines 1-3].*

8.   Claim *6*, Henkhaus teaches said real-time clock generates a second signal in response to attaining a second programmed time of day, and wherein said processor receives said second signal and transitions from said standby to said hibernate state

[Henkhaus system is configured, when a pattern is detected, to automatically transition the computing system from a current power state to a new power state, abstract, col. 2, lines 20-36, col. 6, lines 1-3].

9.   Claims *8-13, 18, 21 and 26-27*, Henkhaus teaches said processor reading a memory location that stores a time event flag, said time event flag requesting said processor to transition from said hibernate to said standby state *[Henkhaus system records a time of day whenever computing system 100 transitions from a current power state to a new power, abstract, col. 2, lines 20-36, col. 4, lines 26-30].*

10.   Claims *14-15, 17 and 22-24*, Henkhaus teaches said second time event flag is a request to transition to said hibernate state/standby state *[Henkhaus system has a set of power states that vary from a fully on or working state to various power saving system states, col. 1, line 39 thru col.2, line 17].*

11.   Claim *19*, prompting a user of said computing device to confirm that said computing device should enter said hibernate state, said prompting being performed prior to said requesting action *[col. 4, lines 64-66].*

Allowable Subject Matter

12.   Claims 16 and 20 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to A Elamin whose telephone number is (571) 272-3674. The examiner can normally be reached on MON-FRI 9:30 AM - 6:00 PM.
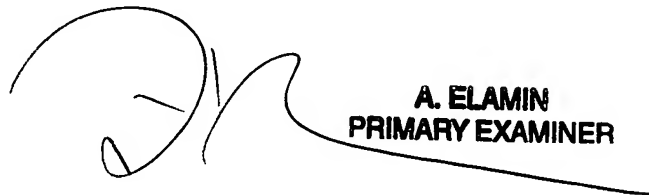
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A Elamin
Primary Examiner
Art Unit 2116

December 8, 2004

A. ELAMIN
PRIMARY EXAMINER